



Department of Planning and Community Development

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Joseph C. Sullivan
Mayor

PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Clerk
Darryl Mikami, Member
Michelle Lauria, Member

Braintree Planning Board
February 7, 2012
Town Hall

APPROVED

Present:

Mr. Robert Harnais, Chair
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami, Member
Ms. Michelle Lauria, Member

Christine Stickney, Director
Melissa Santucci Rozzi, Principal Planner

Please note: Mr. Harnais was not present at the time the roll was called. Mr. Reynolds assumed the roll of acting Chair.

Mr. Reynolds the acting Chair called the meeting to order at 7:05 P.M. and called the roll: Mr. Reynolds, Mr. Eng, Mr. Mikami and Ms. Lauria all present.

Mr. Reynolds read the Agenda for the Planning Board meeting.

New Business/Old Business

Zoning Board of Appeals – February

Applicant for Application #12-11 requested the Application to be continued to the March 13, 2012 meeting. No testimony heard.

#12-08

37 Town Street

Mr. Carl Dumas, of Kneeland Construction Corporation, 407 Rear Mystic Avenue, Medford, MA 02155, was present to represent the Applicant Robert Berry, of 37 Town Street, Braintree, MA 02184, and addressed the Planning Board. Mr. Dumas presented a photo of the existing dwelling.

Mr. Dumas explained that the Applicant is seeking relief of 3 ½ feet from the required 20 foot front yard setback for three (3) gable dormers at the front of the house. There will also be an addition of a shed dormer along the back of the house that does not require any relief. He informed the Planning Board that the house was built in 1947 and had been in the family for 65 years. It was also noted that at one point the road (Town Street) had been widened thus causing the structure to be non-conforming. Mr. Dumas also informed the Planning Board that he had a letter signed by the

Applicant's neighbors expressing no objections to the project. Mr. Dumas is of the opinion that what the Applicant is seeking is a minor form of relief.

Mr. Reynolds asked the Planning Board members if they had any questions.

Ms. Lauria had no questions at this time.

Mr. Mikami had no questions at this time.

Mr. Eng asked Mr. Berry to sum up for the Planning Board why he wanted to expand. Mr. Berry explained that the house was a traditional Cape style home and he wished to expand the second floor to accommodate a third bedroom so that his two (2) children would be able to have their own bedrooms.

Mr. Reynolds had no questions at this time and stated that he was in agreement with the Planning Staff recommendation that the proposed alterations are not substantially more detrimental to the neighborhood.

Motion by Mr. Eng, second by Mr. Mikami to recommend favorable action on the requested relief.
Vote: 4/0

#12-10
58 Mass. Avenue

Mr. James Kantaros, of James Kantaros & Associates, 69 Melville Avenue, Boston, MA 02124, was present to represent the Applicants and addressed the Planning Board. The Applicants, Robert C. and Pamela J. Cosgrove, of 44 Mass. Avenue, Braintree, MA 02184, were also present.

Mr. Kantaros gave a brief history of the property stating that it is an original Arts and Crafts style Bungalow built in the 1920s which was purchased by the Applicant's family in the 1950s. The dwelling which has aluminum siding and has a footprint of 1023 Sq. Ft. has never been updated. Currently there is only one bathroom and the kitchen is very dated. The Applicants would like to bring the house up to 2012 living standards, with two (2) and ½ bathrooms and a modernized layout. Due to mobility limitations there are accessibility concerns for the owners and some room sizes will be enlarged, including the master bedroom and bath. The kitchen will be updated and there will be an addition of a laundry facility on the first floor. The property lies in the Residence B Watershed district, which requires a lot size of 43,560 Sq. Ft. Mr. Kantaros continued that the project included the proposal to combine the pre-existing non-conforming lot of 5,414 Sq. Ft. with two (2) adjacent lots also owned by the Applicants resulting in a lot that is 15,414 Sq. Ft. He went on to say that the goal of the proposed project is to create as much usable square footage as possible. Mr. Kantaros described the addition of a window seat which although it will not have a foundation, still requires relief from the front yard setback. The proposed side porch will be approximately 90 Sq. Ft. He also noted the side yard is considered a front yard as it is a corner lot. The addition to the rear will be within the rear yard setback. The existing front stairs, are in great disrepair, not safe and are to be replaced within the non-conforming front yard setback.

Ms. Santucci Rozzi noted that under the zoning bylaws the combining of the two (2) adjacent lots requires a finding while the encroachment into the front and rear setbacks requires a variance. She also pointed out that pertaining to the attic renovations the proposed dormers were shown on the architectural drawings but not shown on the plot plan and these need to be included to see if they fall within the setbacks. Ms. Santucci Rozzi stated that including them on the plot plan would ensure that the necessary relief could be obtained should they fall within the setbacks. She went on to say that this issue was raised in section five (5) of the Planning Staff Report.

Mr. Reynolds inquired what had to be proved in regards to the dormers. Ms. Santucci Rozzi explained the perimeters of the dormers were not shown on the plot plan to see how many feet from the property boundaries they are. The plan provided only shows a plan view of the work being done on the first floor. The dormers are shown on the elevation but need to be on the plot plan. Mr. Kantaros believes that the proposed dormers are beyond the setbacks. Mr. Mikami stated that items need to be factual. From a legal standpoint the Planning Board needs everything to be factually correct. Mr. Kantaros replied that these were design drawings and the construction documents were not yet completed. It was noted that the plot plan is stamped, however doesn't include the proposed dormers.

Mr. Eng stated that he is in agreement with Mr. Mikami and they must have the exact dimensions. He continued the Planning Board usually receives drawings that are stamped and inquired if Mr. Kantaros is a registered Architect. Mr. Kantaros replied that he was. Mr. Eng then asked why the drawings were not stamped. Mr. Kantaros told him these were design documents not construction documents. Mr. Kantaros continued that he would have no problem stamping these drawings as design drawings. Ms. Santucci Rozzi pointed out they need to be accurate because if the Applicant prevails at the Zoning Board these would then be entered as record plans. Mr. Kantaros said that he had some confusion with the term "findings" and after preliminary meetings with Russell Forsberg it was his understanding that the dormers were not going to be a variance issue. Now that he is aware of the issue the dimensions will be put on the documents and they will pursue whatever process necessary to meet the requirements prior to the zoning hearing.

Mr. Reynolds asked the Planning Board if there were any further questions. Mr. Eng inquired if the adjacent lots had already been legally combined. Mr. Kantaros noted that in Braintree there exists "Lots in Common" ruling, but the owner has not completed the process. Mr. Eng mentioned that the Planning Board has reviewed cases where lots have not been legally combined. He continued by saying that he would like to see the legal combination of the lots done first, and then have the plans brought before the Planning Board. Mr. Kantaros again stated the lots are already considered lots in common by the Town. Mr. Eng asked for confirmation that the intention of the proposed project was to combine the lots and go forward with the improvements. This was confirmed by Mr. Kantaros. Ms. Santucci Rozzi explained there are three (3) lots owned by the Applicant and that the finding must be received by the Zoning Board of Appeals prior to submission of an Approval Not Required Plan in accordance with the Subdivision Control Law. Mr. Reynolds asked for clarification that the Planning Board would have to condition an ANR approval to make a recommendation on this application. Ms. Santucci Rozzi replied yes, the Zoning Board would probably put that in a condition.

Mr. Reynolds again inquired if there were any additional questions. Mr. Eng mentioned the

addition to the rear of the dwelling noting that the required rear setback is 30 Ft. and the addition will be at 24.9 Ft. He asked if consideration had been given to moving the location of the addition to alleviate the setback encroachment. Would the Applicants consider using the land located on the left side of the property? Mr. Kantaros replied that this was not feasible due to the cost constraints of extending the hip roof, and as you go to the left of the property the site drops off by five (5) or six (6) feet. Mr. Eng explained that they were looking for hardship. Mr. Kantaros again mentioned the grade and the accessibility issues. He noted the possibility of installing a handicap lift which would enable the Applicant to get from the car to the kitchen level. Mr. Eng stressed the importance of including these hardship issues in the application.

Ms. Santucci Rozzi pointed out that the topography on record does not describe the change in grade that had been presented. Mr. Kantaros explained that it is not a hill but the grade does drop off five (5) or six (6) feet. Ms. Stickney pointed out a two (2) foot difference in elevation between this property and the neighboring property. Mr. Eng said there is a lot more being presented in this proposal than what is usually presented and that he would like to look at the site. Ms. Santucci Rozzi stated that this is a rather aggressive proposal. Mr. Kantaros said that while there were a few small aspects to the proposal the goal was to keep as much of the bungalow style of the dwelling as possible. He is trying to put small items on the existing house to maximize the use of it.

Ms. Lauria pointed out several aspects of the project that she had concerns with, including the extension of the roof, the complete gutting of the structure, the slope of the land and that no hardship had been noted in the application.

Mr. Mikami stated that he would like the Cosgroves to have a good project. However, he was concerned about the lack of facts that had been presented. He suggested that Mr. Kantaros work with Ms. Santucci Rozzi to work out the issues that were concerning the Planning Board. Mr. Reynolds also expressed his concern over the lack of clarification and the need for certification of the plan. He stated that it is the responsibility of the Planning Board to see that all the gaps are filled in and he did not feel that he was currently in a position to make a decision. Mr. Reynolds opened this up to the Planning Board members.

Mr. Mikami pointed out that the two (2) options are that the Cosgroves can go forward with the application to the Zoning Board of Appeal or they can table the matter and review the proposal.

Ms. Santucci Rozzi inquired why the side yard was not being utilized in the proposed project. Mr. Kantaros replied that the Cosgroves planned on using that area for a garden and for space for their two (2) dogs. The intention was to leave this area as open space. Mr. Reynolds said that while he appreciated the desires of the Cosgroves the bylaws must be followed. Mr. Mikami stated that in his five (5) year tenure with the Planning Board, this is the longest report with significant issues that he has seen and he expressed concern over this. He wants to be sure that the Applicant's have a clear understanding of the issues/concerns that have been raised by the Planning Staff and Board.

Mr. Reynolds asked the Planning Board if there was a recommendation. Mr. Eng said that he was in agreement with Mr. Mikami and recommends that the Applicant review the proposed project and consider making one (1) legal lot first. He suggested that they look at the variances, make the proper adjustments and come back with clearer plans. Mr. Reynolds asked him if this was a motion

to table the application. Mr. Eng replied that it was. Ms. Santucci Rozzi inquired if the Planning Staff should consult with the Applicant. Mr. Reynolds confirmed this. Mr. Cosgrove stated that they will work with the Planning Staff to satisfy the Planning Board's concerns. Ms. Santucci Rozzi clarified that the Applicants would wait to go before the Zoning Board and come back before the Planning Board in March. Mr. Cosgrove stated that he understood. It was also noted that the Planning Staff would be open to working with the Applicants on the process. Mr. Eng stressed the importance of stating hardships clearly on the application when asking for variances.

Motion by Mr. Eng, second by Mr. Mikami to table the application and for the Applicant to return before the Planning Board at the March 13th meeting.

Vote: 4/0

Please note: Mr. Harnais now present. Mr. Reynolds continuing as acting chair.

#12-12
639 Granite Street

Scott F. Lacy, of Prince Lobel Tye LLP, 100 Cambridge Street, Boston, MA 02114 was present to represent the Applicant, Sprint Spectrum L.P., and addressed the Planning Board.

Mr. Lacy gave a brief description of the proposed project to upgrade the existing wireless communication facility on the rooftop of the building at the above noted property and explained Sprint Spectrum's initiative to upgrade to 4G networks. This application involves an upgrade to existing equipment which includes replacing all nine (9) panel antennas with nine (9) new panel antennas, the installation of nine (9) Remote Radio Heads behind the panel antennas, the replacement of the carriers GPS unit, the replacement of existing cable with newer cable and the replacement of an existing equipment cabinet. The Applicant is seeking approval to alter a pre-existing non-conforming building. The building does not comply with respect to its roof height as well as the antenna location which in this case is within 500 Ft. of a Nursing Home. The new equipment will not change this situation, since it will be going where it has already been permitted by the Zoning Board of Appeals.

Mr. Reynolds opened the questions up to the Planning Board.

Ms. Lauria requested confirmation that the Applicant was not adding to the site but instead was replacing existing equipment. Mr. Lacy confirmed this. Ms. Lauria had no further questions at this time.

Mr. Mikami asked if the upgrade to the equipment at the existing site would change the level of service for the clients. Mr. Lacy replied that the upgrade does not change the service level but it does provide it more efficiently. The broadband will operate faster and more efficiently. The voice operates clearer and has more capacity. They are the same services only better. Mr. Mikami had no further questions at this time. Mr. Eng wanted to know how much larger the replacement

equipment being installed was as compared to the existing equipment. Mr. Lacy stated that he believed the replacement antennas to be four (4) inches longer. The top height would not be any higher than the existing antennas. Mr. Eng had no further questions at this time.

Mr. Reynolds had no questions at this time and stated that the information provided in the Planning Staff report was straight forward.

Motion by Mr. Eng, second by Mr. Harnais to recommend favorable action.
Vote: 5/0

#12-13
300 River Street

Scott F. Lacy, of Prince Lobel Tye LLP, 100 Cambridge Street, Boston, MA 02114, again representing the Applicant, Sprint Spectrum L.P., addressed the Planning Board explaining that this application is similar to that proposed in Application #12-12. Sprint is proposing to upgrade its facility at 300 River Street. The facility is located on an existing wireless communication tower that is 130 Ft. tall and there are a number of different carriers at various levels on the tower.

Mr. Lacy explained that the new antennas will be mounted at the same antenna centerline height of 112 feet above ground level and will have a top height of 115 feet. The upgrade at this site will include replacing three (3) existing panel antennas with three (3) upgraded ones and the installation of three (3) new panel antennas to support the new 4G network. There will also be the installation of three (3) Remote Radio Heads behind three (3) of the panel antennas, upgrade/replacement of the equipment cabinet and an upgrade/replacement of the carriers GPS unit. The existing cable will be replaced with upgraded cable. The result will be an upgraded facility at the pre-existing non-conforming structure.

None of the Planning Board members had any questions for Mr. Lacy at this time.

Motion by Mr. Harnais, second by Ms. Lauria to recommend favorable action.
Vote: 5/0

#12-09
825 Granite Street

Attorney Frank A. Marinelli, 439 Washington Street, Braintree, MA 02184 was present to represent the Applicant, Sealcoating, Inc., 120 Industrial Park Drive, Hingham, MA 02043. Also present was Mr. Richard Goodick, of Sealcoating, Inc.

Atty. Marinelli addressed the Planning Board noting that the Applicant had appeared before the Board previously for the former Coca Cola Bottling Plant property at 825 Granite Street and had been granted a Watershed Special Permit for a Contractor's Yard (Use by Right) in the Commercial Zone and to make certain modifications to the site. The Planning Board also granted a Special

Permit under section 135-702 for the building to exist in the Buffer Zone. Atty. Marinelli brought up a couple of issues facing the Applicant. They have a closing date and a permit deadline with Coca Cola. In order to put a place holder with the Zoning Board of Appeals in case they needed relief an Application was filed on January 27, 2012 which was the final day to get on the ZBA Agenda for February 24, 2012 because they would not have time to go to the next monthly ZBA meeting. The Applicant would appreciate an opinion from the Planning Board to the Zoning Board that they do not need any relief. The issue in question being if the existing Coca Cola building is non-conforming. Atty. Marinelli stated that they do not believe that they have any non-conformities at this point and pointed out the front yard setback on Lundquist Drive is 31 Ft. with the requirement in the Commercial Watershed being 35 Ft. He continued that according to BZB Section 135-701 averaging of front yard setbacks along the street is allowed within 200 Ft. and it has been confirmed by the Engineer's Zoning Legend on the plan that they are in compliance. Atty. Marinelli explained that if there is a non-conformity they wanted to be sure that Zoning Board approval is given. He continued that having met with the Staff and the Building Department he is of the belief that the Engineer is certifying that they are in compliance with the front yard setback using the averaging technique with the neighboring Herb Chambers property located at 75 Lundquist Drive. The second issue noted by Atty. Marinelli, was that when the building was built in 1963, it was at or about the Zoning District line. Starting in 1975 the Town adopted a 50 Ft. setback, then in 2001/2003 the Zoning Bylaws required a 100 Ft. setback. The building would not be built where it is except with the issuance of a Special Permit which the Board granted in its recent decision under 135-702. The building has been there for almost 50 years, with existing natural buffers presented at the Special Permit hearing. There is a Special Permit for the location of the building and its use as noted by the Planning Staff on page seven (7) in the decision. Atty. Marinelli feels that it would be appropriate for the Planning Board to say that the site is deemed to be conforming because of the grant of the Special Permit under 135-702 and furthermore the front yard setback as a result of averaging is also conforming. He concluded by saying that in the event that what is proposed is non-conforming it is not more detrimental than the existing vacant building.

Mr. Reynolds asked if the Planning Staff had any points of clarification to make. Ms. Santucci Rozzi stated that in regards to the front yard setback, it does meet the setback with the averaging technique. She does suggest making a favorable recommendation, noting a concern that there is only one building (the Herb Chambers Facility located at 75 Lundquist Drive) within the 200 Ft used for the averaging of the front yard setbacks.

Ms. Lauria had no questions at this time.

Mr. Mikami had no questions at this time.

Mr. Eng asked Atty. Marinelli if the Applicant would be willing to cut three (3) ½ Ft. from the front of the building to make it conform. Atty. Marinelli replied that since the structure had been there for 50 years that was unlikely. This was confirmed by Mr. Goodick.

Mr. Harnais had no questions at this time.

Mr. Reynolds had no questions and stated that he agrees with the Planning Staff summary finding it an excellent write up.

Mr. Harnais asked for clarification that it would be a motion to remain with the findings that existed. Ms. Santucci Rozzi suggested in regards to the buffer the Planning Board recommendation should be favorable to the extent that it's applicable. Mr. Harnais stated that the motion if needed for the Zoning Board would be for the Planning Board to give a favorable recommendation. Atty. Marinelli again stated that he felt it would be appropriate for the Planning Board to find the building conforming with respect to the setback and in the event that there is any question as to conformity of the building the Planning Board also finds that this is not something that is substantially more detrimental and in addition results in an improvement through the occupancy of a vacant building.

Motion by Mr. Harnais, second by Mr. Eng, to the extent applicable to recommend favorable action in that the alterations to the site and building are not substantially more detrimental to the neighborhood.

Vote: 5/0

It was noted at this time by Ms. Santucci Rozzi that one more Zoning petition (Application #12-07, The Signage Package for the Proposed Hotel Retail Center located at 20-60 Forbes Road) to come before the Planning Board will be taken up later in the evening, by Attorney Marinelli.

Request for Re-Release of Subdivision Covenant/Dove Circle Definitive Subdivision [#01-14]
Requested by Attorney Robert J. Barrett on behalf of Gabriel Homes Company, Inc.

Attorney Robert J. Barrett, 462 Plain Street Suite 204, Marshfield, MA 02050 was present to represent Gabriel Homes Company, Inc., 10 Sheffield Drive, Braintree, MA 02184, and addressed the Planning Board.

Atty. Barrett explained for the Planning Board that Gabriel Homes was attempting to purchase a lot on Dove Circle, and while conducting the title examination on the lot it was discovered that there had been no release of the covenant. Subsequently Atty. Barrett had been presented with a release of the covenant which made references to the wrong plan and wrong book and page. It appears that the Planning Board had voted for release but that it had been incorrectly filled out by the Applicant. At this point he is looking for confirmation of release.

Ms. Santucci Rozzi addressed the Planning Board informing them that she had met with Atty. Barrett. She had provided the Planning Board with a copy of his letter and a copy of the Planning Board minutes from 2005 which documented that these lots had been released. Four (4) of the lots had been sold and built on. She continued that a new lot release had been prepared based on the information provided by Atty. Barrett to replace the old one. Ms. Santucci Rozzi stated that if the Planning Board is inclined to endorse the lot release she suggests a motion to re-endorse the previous lot release, is in order.

Mr. Reynolds asked if there were any questions regarding the wording of the recommendation. There were no questions at this time.

Motion by Mr. Harnais, second by Mr. Eng, to re-endorse the previous lot release.

Vote: 5/0

Request for As-Built Approval/Priscilla Avenue Definitive Subdivision [#99-12]
Requested by Kevin Kane of Aspinwall Corporation

Ms. Santucci Rozzi addressed the Planning Board, explaining that Mr. Kane had been present at the meeting earlier and that she had an update on the request for As-Built approval. It was also noted that Mrs. Watts (one of the former owners) was present at the meeting. Ms. Santucci Rozzi informed the Planning Board that Mr. Kane has reached out to the existing owners the Ditoccos and the Neelons, and has been unsuccessful in receiving a response. She went on to say that she had received a call prior to tonight's meeting from Mr. Neelon and went over some basic items with him including that his signature was necessary to perfect the easements in accordance with what was shown on the original subdivision plan. The current owners are still concerned with the ground water at the two properties. The basements in both houses have sump pumps and have had them since construction. She explained that water in the basement is not untypical with much of the Town of Braintree, and that there is nothing in the conditions that specifically address that issue. The existence of water in the basement is not something that the subdivision bond held by the Planning Board will cover. The subdivision bond held is to cover the Public Improvements. The Planning Board is holding the bond under the subdivision control and Ms. Santucci Rozzi explained to Mr. Neelon that she cannot recommend to the Planning Board to take the subdivision bond and allocate it to a separate purpose. She encouraged Mr. Neelon to reach out to Mr. Kane to assist the current home owners. Ms. Santucci Rozzi continued that Mr. Kane has been working diligently and it is now up to the home owners to sign off on the easements and get those recorded so that she can compile the As-Built documentation. She has the As-Built plans and the Street Acceptance plan. It was also noted that Mrs. Watts has been encouraging the existing owners to sign the easements. Mrs. Watts had no additional questions or comments at this time.

There were no questions or comments from the Planning Board at this time.

Motion by Mr. Harnais, second by Mr. Eng to continue the Request for As-Built Approval to the Planning Board meeting scheduled for Tuesday, March 13, 2012.

Vote: 5/0

At 8:40 P.M., Mr. Harnais now chairing the Planning Board meeting.

Request for Minor Modification/20-60 Forbes Road [#10-07]
Requested by Karma Nominee Trust, Applicant

Ms. Stickney provided the Planning Board with handouts regarding the proposed project and noted that Attorney Frank A. Marinelli, representing the Applicant, had visual presentations as well. She explained that the Applicant is present to request some minor modifications and to discuss some architectural changes that they are making to the building.

The Zoning Board of Appeal application was presented at this time.

#12-07
20-60 Forbes Road

Attorney Frank A. Marinelli, representing the Applicant, Karma Trustee, LLC, addressed the Planning Board and presented them with hand outs of the proposed signage. Also present were Darren Messina and Peter Diana, Carpenter and Company, Inc., 20 University Road, Cambridge, MA 02138, James Puopolo and Gary Johnson, Cambridge Seven Architects, Inc., 1050 Massachusetts Avenue, Cambridge, MA 02138 and Brian Dundon, R.J. O'Connell & Associates, 80 Montvale Avenue, Stoneham, MA 02180.

Atty. Marinelli explained that the Applicant had applied to the Zoning Board of Appeals for a comprehensive sign package for the ten acre site. He noted that this is a reasonable and necessary sign package for this highway business site. He added that this was necessary for the success of the redeveloped site and its tenants.

Atty. Marinelli explained that at the corner coming in from the intersection of Granite Street and Forbes Road at the entrance of the site there will be a 107 Sq. Ft. sign that would direct the public to the upper level noting that there are grade changes at the site. The first sign lets the public know to take a left and continue to the level of the hotel. There is a second sign depicted as sign #3 on the plan, that says "Hyatt Place". This sign will be 28 Sq. Ft. As the public proceeds along Forbes Road, there is site sign A, which is a pylon sign measuring 96 Sq. Ft. and has a directory of the tenants at the retail level. This brings the public into the main lower level of the site where Fridays Restaurant currently is. This demonstration of the various levels at the site explains the need for the sign for the traveling public to direct them in to the retail area. Atty. Marinelli mentioned the area where Brooks Drive connects with West Street explaining that the Applicant would like to encourage people coming from Randolph to use this road rather than going through the Five (5) Corners intersection. This opening will be an entry from the west, with the same sign containing a retail directory. Atty. Marinelli continued by describing the proposed wall mounted signs noting there will be a "Hyatt Place" sign measuring 66 Sq. Ft. He then read from the Planning Staff Report:

The Planning Staff has reviewed the overall sign package and is of the opinion that it is comprehensive as well as informative. The use of the directory signs will assist in site circulation and safety. The wall signs proposed are modest in size when analyzed at the distance in which they will be viewed most and the span of the various facades. The signs on the Retail A portion of the building are proportionate to the linear frontage and will be uniform in scale as presented.

Atty. Marinelli said that the Applicant is in agreement with these conclusions. He explained that the other wall signs are for the retail tenants in the retail pavilion. He pointed out that the retail space is approximately 39,000 Sq. Ft. The Jared's location will be 6,000 Sq. Ft. noting that they independently permitted their signs. There will be 10 "pads" with a modest 28 Sq. Ft. for each pad. He continued that if for any reason a tenant wanted to alter this they would have to come back before the Planning Board. Atty. Marinelli continued that this is the proposed signage for the first floor of the retail pavilion and the Planning Staff has pointed out it is less than the linear frontage of the entire building. He noted that there should only be one (1) Sq. Ft. of signage for each linear foot. The combined 280 Sq. Ft. is less than the 300 linear feet of frontage.

The final signage on the upper level was then discussed. This would be either retail C or the restaurant. Atty. Marinelli explained that this would be the second floor of the retail pavilion and noted that the restaurant signage would be facing east towards Granite Street. The signage as proposed is 60 Sq. Ft. However, the Applicant is willing to reduce it to meet the Planning Staff recommendation of 48 Sq. Ft.

Mr. Harnais asked the Planning Board if they had any questions.

Ms. Lauria had no questions at this time.

Mr. Mikami inquired if the "Hyatt Place" signs are the same as other Hyatt signs from a corporate standpoint. Mr. Puopolo responded to Mr. Mikami and informed him that these signs were one of the several standard signs used by the company and that these were about in the middle of the range in size. Mr. Mikami asked if there were any issues with these signs. Ms. Santucci Rozzi replied that individually these wall signs do not exceed the 150 Ft. requirement. She went on to say that cumulatively the entire site will, but the two wall signs for the Hotel are each 66 Sq. Ft. and do not exceed the 150 Sq. Ft. Mr. Mikami then asked Atty. Marinelli about the bank of retail stores/restaurants wanting to know if the signs are at the maximum that they can be individually. Atty. Marinelli replied that they are not at the maximum individually and again mentioned that the combined 280 Sq. Ft. is less than the 300 linear feet of frontage. Mr. Mikami questioned if there was the potential of having 11 sign variances being requested at some point. Atty. Marinelli stated that he could not predict this and noted that some tenants would clearly have their national branding. He mentioned two (2) possible tenants, Five Guys and Starbucks, each having their own branding. He further explained the 28 Sq. Ft. of signage being 2'4" x 12" and if a tenant wanted a variation of this they would have to come before the Planning Board. Mr. Mikami asked if potentially the percentage of tenants requesting variances in the future could be as high as 90 percent. Mr. Diana stated that it would be hard to know and the tenants will be given sign criteria in their leases. He continued that the number of requests would likely be less than 50 percent. Mr. Mikami noted the Jared's representatives finding them to be unprepared. He said that he feels this is a wonderful project and his discomfort with Jared's is one thing that sticks out with him. Mr. Diana stated that he did not think their actions would be typical of the other tenants.

Mr. Eng noted the last comment in the Planning Staff report suggesting that the tenants be encouraged to use cohesive signage. Atty. Marinelli stated that it would be problematic to limit tenants from using their national branding and that the use of their branding actually adds visual interest. He went on to say that if a tenant has a particular font, script or color that is normally used, the Applicant is asking the Planning Board to allow that to be included in the 28 Sq. Ft. signs. Mr. Eng asked if the Applicant would try to have cohesive signage. Atty. Marinelli confirmed that if it is a generic tenant they would.

Mr. Eng commented on the site signs (pylon A and B) noting that they were 20 Ft. high and asked for confirmation of their width. It was confirmed that it is 20 Ft. from the ground to the top, with the signs themselves being 12 Ft. high and 8 Ft. wide. He wanted to know if it is typical for the signs to have so much information. He questioned if they are to busy for someone entering the site

and looking for a particular business. Atty. Marinelli stated that perhaps they could use something bigger, noting the possibility of designing something larger than the proposed 96 Sq. Ft. Ms. Santucci Rozzi asked if the intent was to list all the retailers on the sign or is it to use directional signage similar to what had recently been used at the South Shore Plaza. Mr. Diana stated there will be no arrows just the tenant listings. Ms. Santucci Rozzi stated that she had thought that the signs were more directional. Mr. Eng asked the Applicants as professionals if these signs will work. Mr. Diana stated that they had kept the signs as modest as possible and would be more effective if they were larger. Mr. Eng again pointed out the possible difficulty someone driving by may have if they were trying to locate a particular business. Atty. Marinelli said that a modification to enlarge the signs would be preferable if the Planning Board would allow them to submit revisions to the pylon signs. The possibility of enlarging the signs to 10 Ft. by 14 Ft. or 10 Ft. by 16 Ft. was mentioned. It was noted that an increase to 10 Ft. by 16 Ft. is a bit excessive.

Mr. Harnais asked if it would be possible for tenant logos to be used only on the directory signs with the use of conforming signs on the building façade. He noted that it is the directory sign that will attract the attention of someone entering the site. Mr. Diana stated that from the standpoint of the tenants the opposite would be true. They want their store to be branded and visible for customers and this is something they are passionate about. Mr. Harnais stated that all different signs with no conformity can get a strip mall type of look and he would not like to see this project look that way. Mr. Diana explained that there will be uniformity to the store fronts and if a tenant comes before the Planning Board wanting something larger they can be refused. He continued that limiting the branding would make it more difficult to get tenants. Atty. Marinelli mentioned the fabric canopy which is uniform throughout this area. The possibility of using uniform color was noted.

Mr. Harnais asked if the Applicant planned to come back with revisions to the larger pylon signs. Ms. Stickney stated that could be handled with the Staff.

Ms. Santucci Rozzi noted the retail C signs are capped at 48 Sq. Ft. stating that the Planning Staff has reviewed this and if the ones at Hyatt Place are 66 Sq. Ft. the signs for the restaurant and upper retail could be 48 Sq. Ft. and still be effective. This would make lower ones 28 Sq. Ft. and the upper ones would be 48 Sq. Ft. The Applicant had no issue with this change. Ms. Santucci Rozzi then noted that this would eliminate one of the forms of relief.

Atty. Marinelli asked for confirmation that the Planning Board recommendation would include the submittal of possible revisions to the directory sign. This was confirmed.

Motion by Mr. Reynolds, second by Ms. Lauria to recommend favorable action with the retail C wall signs at 48 Sq. Ft. or less, the modified directional pylon sign and the use of only white lighting for any signage.

Vote: 5/0

At this time Ms. Santucci Rozzi excused herself from the remainder of the Planning Board meeting.

Request for Minor Modifications/20-60 Forbes Road [#10-07]
Requested by Karma Nominee Trust, Applicant

Attorney Frank A. Marinelli, again representing the Applicant, Karma Trustee, LLC, addressed the Planning Board. Also present were Darren Messina and Peter Diana, Carpenter and Company, Inc., James Puopolo and Gary Johnson, Cambridge Seven Architects, Inc. and Brian Dundon, R.J. O'Connell & Associates.

The Planning Board received correspondence from the Applicant including 11" x 17" color copies of the approved site plan and a plan showing the modifications being requested. The Planning Board also had a staff memo dated February 6, 2012. Attorney Marinelli brought the Board up to date on the project and with the use of visuals pointed out the current status stating that although much work remains the Hotel is coming along well and will be opening this spring. It was explained that as work has progressed at the site various issues have been discovered that necessitate the minor modifications requested. He stated that there are two basic categories of the minor modifications, the first being on the civil side which is described in Brian Dundon's report. Atty. Marinelli noted that he and Mr. Dundon had met with Ms. Stickney on November 15, 2011 and explained the civil changes which include minor grade changes, adjusting retaining wall features, roof drainage, layout of utilities, adding grease traps and sewer manholes and other minor changes needed in the field. It was noted that after the holidays, tonight's meeting was the first available date to present these minor modifications and as stated in Ms. Stickney's staff report these modifications concerned "utilities, minor grade changes, reconfiguration of four (4) handicap parking spaces, retaining wall and landscape modifications". Included in the requested modifications will be a reduction in the retail component designated as Retail "A" (first floor) of 511 Sq. Ft. and an increase in Retail "C" (second floor retail or restaurant) of 1337 Sq. Ft. resulting in a net increase of 826 Sq. Ft. Atty. Marinelli continued that the project had been approved with surplus parking that is sufficient for the retail and restaurant components.

The exterior modifications to the building were then discussed. Atty. Marinelli explained that the original construction of the hotel had used a hollow masonry block that would require an elaborate support system and cantilevered construction to support the proposed metal panels. Atty. Marinelli read from Mr. Puopolo's report.

The request for this revision is that the existing structure has been found to be incapable of providing support for the cantilevered metal panel support system without the addition of excessive steel framing and reinforcement of the existing masonry to support said steel.

In the elevator area there is existing solid concrete blocks so the proposed metal panel work will be done there. A sample of the proposed perforated blue metal panel was provided to the Planning Board for their review. Atty. Marinelli also mentioned various areas of the building façade would be painted. He summarized from a report prepared by Mr. Messina.

The stair towers and the health club are constructed with a concrete masonry block back up system. Once we got in to the building we found that these blocks were hollow. After discovering this it was determined that it was not reasonable to open the walls to new attachment points as the blocks are hollow with no insulation and therefore not provide appropriate support. An entirely separate

support system would be required to come from the ground with new foundations, column and beam supports to prevent additional loading on the concrete masonry walls. We are also afraid of penetrating the walls and causing leakage through the block.

Atty. Marinelli and Mr. Johnson explained the proposal to modify with regards to Impermeable Exterior Insulation Finish System (EIFS) the Applicant's would like to use.

Mr. Harnais asked the members if there were any questions.

Ms. Lauria had no questions at this time.

Mr. Mikami had no questions at this time.

Mr. Eng questioned if there was the potential for wind problems with the installation of the perforated metal. Mr. Johnson replied that the use of the perforated metal reduces wind problems by about 50 percent. Mr. Eng wanted to know if they had used this in the past on other buildings. Mr. Johnson replied that they had used it, and although this was not their project, the Boston Food Bank was a good example. The contrast created by the overlap of the two (2) different metals was noted. Mr. Johnson described for Mr. Eng the insulation system and layer of stucco now proposed for the exterior of the building. Mr. Eng inquired about the adhesion process. It was explained that there is more than two (2) inches of Styrofoam insulation behind the stucco which in addition to a mechanical fastening system is also glued directly to the brick. This is all a tested system which is UL approved. There is then a layer of mesh with the stucco applied to the mesh. This multi layer system is the EIFS (Exterior Insulation Finish System). Mr. Johnson clarified for Mr. Eng that this is a trademarked product that has been used in the industry for more than 30 years. He noted that there are several companies that make this product and the Cheesecake Factory structure is a good example. The actual product being used on site is made by a company called STO and has a 15 to year guarantee. Although the product is manufactured to be self-cleaning the Applicant has committed to keeping the façade clean by power washing. It was also noted that the STO product is energy friendly.

Mr. Reynolds wanted to know if the new surface was more or less expensive. Mr. Messina replied that the cost of the new proposal was running in line with what had been projected before the use of the unreinforced masonry had been detected. Mr. Reynolds stated the explanations provided have addressed his concerns that the new proposal was more than a minor modification.

Mr. Harnais commented that during a site visit with the Mayor, the Contractor noted the original hotel had structural issues with a back wall that has been addressed with the new construction.

Ms. Stickney explained that the staff report had been broken down into the three components of the minor modifications which are the civil/engineering component, arrangement of the use of the site and the architectural changes. She wanted the Planning Board to hear the explanation regarding the exterior first hand from the Applicant and their presentation confirms that this proposal can be handled as a minor modification. Mr. Harnais said this is an excellent project and stressed keeping the lines of communication between the Applicant and the Planning Board open is working well.

Mr. Mikami asked if the building would have four (4) colors. Mr. Johnson informed Mr. Mikami that gray, cream (the stucco) and blue (the perforated metal and in the stripe or soffit on the building) are the three (3) colors being used. He noted that test patches of the paint would be available for the Planning Board to view. The color selection and material for the awnings were also discussed. Mr. Johnson stated that the choice would be made once they had a better idea of the tenant mix. Mr. Mikami asked if the plan was to open the hotel first and then retail and restaurant. Mr. Messina stated that the hotel is to open in the middle of the Spring and they are looking to turn the tenant space over for construction in June. Ms. Stickney informed the Planning Board that she would provide them with pictures of the hotel guest rooms which had been submitted by Mr. Diana. The Board was also told that they were welcome to come to the site at any time to take a tour.

Motion by Mr. Reynolds, second by Mr. Eng to grant approval of the Minor Modification as it pertains to the engineering portion of the project.

Vote: 5/0

Motion by Mr. Eng, second by Mr. Reynolds to grant approval for the Minor Modification for the reconfiguration of square footage of retail areas "A" and "C" as submitted by the Applicant.

Vote: 5/0

Motion by Mr. Reynolds, second by Ms. Lauria to grant approval for the Minor Modification of the stair tower siding and the proposed painting to replace the originally submitted metal panel design conditional on annual power washing of the building.

Vote: 5/0

Approval of Minutes for January 10, 2012

Please note: Mr. Reynolds not participating in the vote.

Motion by Ms. Lauria, second by Mr. Eng to approve the minutes from the Planning Board meeting dated Tuesday, January 10, 2012.

Vote: 4/0

Other Business:

At this time Ms. Stickney addressed the Planning Board noting that she had a couple of items that she wanted to update them on. She informed them that Mayor Sullivan has some new initiatives that he wants for the Spring. The first one is a Community Standard Bylaw that will probably be a general ordinance. This will be for situations where property is not kept up in a reasonable manner. Mr. Eng inquired who will be responsible for enforcement. Ms. Stickney told him that it would probably be the Building Department. Another issue coming is the Demolition Delay from the Historical Commission. This is described as a passive preservation not meant to be a stalling and trying to preserve but instead intended for documentation purposes. They (the Historical Commission) would like to go into structures prior to them being leveled and document them as

part of their historical efforts. The other item that will be coming before the Planning Board is the adoption of the FEMA modifications to the Flood Insurance Rate Maps (FIRM). Ms. Stickney continued that these changes are coastal (going from NGVD to NADD) and are available online accessed through the Planning and Community Development web page.

Mr. Harnais stated that there has been an increase in the building of residential units in the city of Quincy and that perhaps that would continue into Braintree as well. He also mentioned the letters from the Mayor's Office had been mailed out asking members of various boards of their intentions to continue serving. Ms. Stickney noted the MBTA meetings regarding fare increases and service reductions that will be held the following evening in Hingham and next week in Quincy.

Mr. Mikami suggested that the Planning Staff look into the situation at Dave & Buster's stating that he had attended the licensing hearing with Ms. Santucci Rozzi and in his opinion two (2) issues need attention. One issue is the lines of patrons outside going around the exterior of the building, noting that this matter had been discussed at the Special Permit hearing for the establishment. The management of the occupancy of the establishment is another issue needing attention. Dave and Buster's currently has a system in place to manage occupancy and capacity. Mr. Mikami is not aware how occupancy levels are monitored. The recent violations against the establishment were brought up at the licensing hearing and it was noted that the police had found these to be minor infractions. Mr. Eng asked if it would be advisable to request Dave & Buster's representatives to appear before the Planning Board and inform them that the Board is concerned about these issues and wants to know what they plan on doing about them. Ms. Stickney noted an existing situation regarding the compactor. She pointed out that the Special Permit for a Place of Assembly had been granted and now this assembly was occurring outside of the building. Normally she would consider this to be an inspectional issue but she did feel that there should be a discussion about what is going on and that these issues need to be watched. Mr. Harnais asked if there was a condition regarding lines around the exterior of the building. Ms. Stickney replied that there was not. Mr. Harnais then questioned how this could be enforced. Ms. Stickney stated that it is a public safety issue depending on where the patrons are standing relative to the traffic circulation. Mr. Harnais suggested writing a letter asking them to come before the Planning Board in April, continuing that this would put them on notice between now and April and the Planning Staff and Planning Board could see what is done about the situation. Mr. Mikami stated that at the licensing hearing the Deputy Police Chief had told him the situation had occurred because the establishment was new and that it would go away during the summer months when there would be fewer patrons. Mr. Harnais said that he had learned that the Braintree Dave & Buster's was the second busiest of all their locations. Ms. Stickney confirmed that a letter would be sent asking Dave & Buster's representatives to appear before the Planning Board at the April meeting.

Motion by Mr. Reynolds, second by Mr. Eng to adjourn at 9:50 P.M.

Vote: 5/0

Respectfully submitted

Beth Herlihy



Joseph C. Sullivan
Mayor

Department of Planning and Community Development

Melissa M. Santucci Rozzi, Principal Planner
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PLANNING BOARD

Robert Harnais, Chair
Joseph Reynolds, Vice Chair
James Eng, Clerk
Darryl Mikami, Member
Michelle Lauria, Member

APPROVED

Braintree Planning Board
February 7, 2012 – Public Hearing @ 7:30 P.M.
Town Hall

Present:

Mr. Robert Harnais, Chair
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami, Member
Ms. Michelle Lauria, Member

Christine Stickney, Director
Melissa Santucci Rozzi, Principal Planner

361A Washington Street

Application: Use Special Permit and Site Plan Review
#11-09

Mr. Reynolds acting chair.

The Public Hearing was opened at 8:10 P.M. and Mr. Harnais read the Public Hearing notice.

Attorney Daniel Briansky, 50 Congress Street Suite 225, Boston, MA 02109, was present to represent the Applicant, Ruk Mae, Inc., 361A Washington Street, Braintree, MA 02184. Also present was Jutaporn Sae Bang, 22 Edison Street, Quincy, MA 02169.

Atty. Briansky addressed the Planning Board and explained that the Applicant is seeking to open/operate a Thai food restaurant (primarily take-out) in an existing 844 sq. ft. storefront located at 361A Washington Street. He noted that the Applicant had taken on much of the endeavor on her own and was not sure what plans the Planning Board had reviewed. He continued by stating that he and the Applicant were present to answer any questions/concerns regarding the proposed project.

Mr. Reynolds asked Atty. Briansky to give a general overview of the proposed project. Atty. Briansky said that the restaurant is to be 844 sq. ft. with hours of operation being 11:30 A.M. to 9:00 P.M. It was noted that parking was a concern, and with a take-out establishment parking requirements increase from 4.2 spaces to 8.4 spaces. Atty. Briansky noted the parking to the rear of the building, as well as, the availability of parking down the street. In response to the staff report he also informed the Planning Board that the peak hours of operation for the restaurant will be around dinner time (6:00 P.M. to 8:30 P.M.). In addition to the take-out, there will also

be delivery available. Mr. Reynolds inquired about the previous business at this location. Ms. Santucci Rozzi clarified that it had been a retail store specializing in medical supplies.

Mr. Reynolds asked if that was the Applicant's opening statement and then opened the Public Hearing to anyone in attendance with questions. There were no questions from the public in attendance.

Ms. Lauria asked for confirmation that there would be delivery service available. Atty. Briansky replied that there would be. Ms. Lauria then asked how many employees there would be. She was informed that there would be a minimum of one (1) to two (2) and a maximum of six (6) to seven (7). She was also told that the majority of the employees would be using public transportation. Therefore, there would be no effect on the parking situation. Ms. Lauria had no further questions at this time.

Mr. Mikami asked for clarification regarding the employees. Ms. Bang told him that during the lunch time hours there would be two (2) employees out back and two (2) employees in the front. During dinner hours the number of employees would increase to six (6) or seven (7). She also informed the Planning Board that she had previously owned a Thai restaurant in Quincy. Mr. Mikami pointed out that it is difficult to park in this area. He asked how the delivery process will work noting that this is a busy area. Atty. Briansky replied that they would use parking on the street and at the rear of the building. In addition they would utilize parking available in the Municipal Lot located (approximately 200 to 300 Ft.) down the street. Mr. Mikami wanted specifics regarding the delivery process and asked how many employees would handle this aspect of the business. Ms. Bang explained that there would be two (2) delivery employees and that the delivery service would be later in the day after Kristin's Restaurant had closed for the day. Therefore, the parking to the rear of Kristin's Restaurant would also be available. Mr. Mikami then inquired if the Applicant had a similar operation in Quincy. Ms. Bang confirmed this.

Mr. Mikami noted that the location was to undergo substantial renovations since it currently was not a food establishment and inquired if there were any potential problems. Ms. Santucci Rozzi told him that the Applicant has prepared a floor plan and has been working with the Board of Health. She noted that code requirements are dictated by the Building and Plumbing Departments (she also noted that she had inquired about a grease trap). She continued by saying that the Planning Staff needs more information regarding traffic and peak periods of operation and since the Applicant owned another establishment, the Staff is expecting this information to be provided. This information will aid in the parking analysis. Ms. Santucci Rozzi then pointed out that the responses need to be in writing to be part of the record. Atty. Briansky stated that they will accommodate this request. Mr. Mikami asked if the Applicant had been informed of the Façade Improvement program with the Town. Atty. Briansky answered that they were aware of this program. Mr. Mikami pointed out that this is the second conversion in this area to a food establishment and that things need to be done correctly.

Mr. Harnais explained how everything including plans, signage etc. is submitted, then information is provided by the Planning Department for the Planning Board to review. He continued by stressing the importance of supplying any/all pertinent information.

Mr. Eng noted the comments had addressed most of his concerns and inquired if an architect or engineer had been hired. This was confirmed by Atty. Briansky and Ms. Bang. Mr. Eng asked how far along the plans were. Ms. Santucci Rozzi informed him that the floor plan is very detailed, but was not stamped by the Architect. A site plan including a Professional Engineer stamp has also been submitted. She would like more information regarding the operation to present to the Planning Board. Mr. Eng stated that there was a lot of work involved with the renovation of the establishment and asked if they had been provided with any cost estimates. Mr. Eng stressed using caution moving forward with regards to the cost of the proposed project.

Mr. Reynolds noted the thoroughness of the questions raised by the Planning Staff and Board. He asked for a motion to continue the Public Hearing to the March meeting.

Motion by Mr. Harnais, second by Mr. Eng, for the Applicant to supply the information requested by the Planning Staff and to continue the Public Hearing to the Planning Board meeting scheduled for Tuesday March 13, 2012 at 7:30 P.M.
Vote: 5/0

Respectfully submitted,

Beth Herlihy



Joseph C. Sullivan
Mayor

Department of Planning and Community Development

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APPROVED

Braintree Planning Board
February 7, 2012 – Public Hearing @ 8:00 P.M.
Town Hall

Present:

Mr. Robert Harnais, Chair
Mr. Joseph Reynolds, Vice Chair
Mr. James Eng, Clerk
Mr. Darryl Mikami, Member
Ms. Michelle Lauria, Member

Christine Stickney, Director
Melissa Santucci Rozzi, Principal Planner

692-700 West Street/Blue Hill Cemetery

Application: Special Permits and Site Plan Review

#11-05

Mr. Reynolds acting chair.

Ms. Stickney addressed the Planning Board updating them on the status of the Application. Since the last meeting before the Planning Board the Applicant has gone before the Board of Health and received a favorable recommendation for dedication of this lot as a cemetery. In addition, Mayor Sullivan submitted an ordinance request to have the dedication formalized with the condition that no casket burials shall occur on this lot which was approved on January 24, 2012 by the Town Council. Staff had attempted to put together a draft decision with the findings for the meeting this evening however this was unable to be prepared. The Planning Staff discussed with Atty. Modestino if the hearing could be continued to the March meeting enabling the Planning Board to have a complete decision in front of them. Ms. Stickney requested the Applicant to be present at tonight's meeting should the Planning Board have any additional questions before the preparation of the draft conditions.

Atty. Modestino addressed the Planning Board. He stated that the Staff has been working very hard on this Application and that additional time is necessary to finalize the findings and draft conditions to present to them. He also noted that the Applicant had no problem with a continuation of the Public Hearing.

The Planning Board now presented their questions and comments.

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Planning Board Minutes

February 7, 2012 – Public Hearing @ 8:00 P.M

Mr. Mikami stated that he is interested in viewing the site. Mr. Harnais noted that this would be best done on an individual basis by the Planning Board members. Atty. Modestino stated that the Applicant would be happy to accommodate the Planning Board's interest in site visits.

Ms. Lauria had no questions at this time.

Mr. Eng had no questions at this time.

Mr. Reynolds asked if the Town Council's vote on the ordinance contained conditions pertaining to the on site storage of ashes. Atty. Modestino replied that it did not. It was noted that the condition in the ordinance regarding casket burials was due to concern over groundwater and the possibility of seepage. Ms. Stickney explained that what exists on the property to the north will satisfy the five (5) year requirement for active burial which along with the dedication from the BOH allows for the establishment of a crematorium on the site. The Planning Board findings will include this in draft findings and conditions. She also reminded the Planning Board that there will be five (5) Special Permits needing approval.

Motion by Mr. Harnais, second by Ms. Lauria to continue the Public Hearing to the next Planning Board meeting scheduled for March 13, 2012 at 8:00 P.M.

Vote: 5/0

Respectfully submitted,

Beth Herlihy